

## REMARKS

### *Status of the Claims*

Claims 1, 3-14, 16, 18, 19, 21, and 22 are now pending in the present application, with Claims 1, 7, 14, and 19 being independent. Claims 1, 3, 5-9, 11-14, 16, 19, 21, and 22 are amended herein.

### *Requested Action*

Reconsideration and withdrawal of the rejections set forth in the outstanding Office Action are respectfully requested in view of the foregoing amendments and the following remarks.

Applicant respectfully requests that this Amendment After Final be entered. This Amendment was not presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application, Applicant believes that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, Applicant submits that this Amendment places the application in condition for allowance. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

### *Claim Rejections*

Claims 1, 3, 4, 6-10, 12, 14, 18, 19, 21, and 22 are rejected under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Patent No. 7,184,082 (Yokokawa). Claims 5, 11, 13, and 16 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Yokokawa in view of U.S. Patent No. 6,252,625 (Hibino).

### *Response to Rejections*

In response, while not conceding the propriety of the rejections, independent Claims 1, 7, 14, and 19 have been amended. Applicant submits that as amended, these claims are allowable for the following reasons.

Claim 1 relates to an imaging apparatus comprising an imaging unit that converts an image into image data, a storage medium that stores image data corresponding to a plurality of sample images, an operating member that selects one of the plurality of sample images, a monitor, a switch, and a control circuit.

Claim 1 has been amended to recite that the imaging unit is an optical imaging unit that converts *a currently viewed* object image into object image data, and that the storage medium stores sample image data corresponding to a plurality of sample images.

Claim 1 has also been amended to recite that the monitor *displays the currently viewed object image and the sample image* based on the object image data and the sample image data. Claim 1 has further been amended to recite that the monitor *simultaneously displays the sample image selected by the operating member and the currently viewed object image* corresponding to the object image data, *wherein the object image data is not yet stored on said storage medium.*

Claim 1 has also been amended to recite that the switch instructs the imaging apparatus to store the object image data obtained by the imaging unit on the storage medium that corresponds to the object image displayed by the monitor. Finally, Claim 1 has been amended to recite that the control circuit saves, in the storage medium, the object image data such that the object image data is associated with the sample image simultaneously displayed on the monitor with the currently viewed object image according to an operation of the switch.

By this arrangement, sample image data can be associated with not-yet-stored object image data corresponding to a currently viewed object image when the object image data is stored.

In contrast, the Yokokawa patent is understood to merely show extracting images previously taken and stored, according to a predetermined rule (col. 2, line 56). For example, Fig. 4B is understood to show that when the “today’s start” rule is selected by a user, an image of a frame number 61, whose shooting time is the oldest among the images shot “today,” is displayed on an LCD 6 (col. 9, line 51 to col. 10, line 16). Fig. 4E is understood to show that a user may select a display format, switching between frames 61, 62, 63 or 64 to be enlarged on the screen. However, frames 61-64 are understood to include images previously taken by the user and stored on a memory card (col. 9, lines 46-50). Therefore, the Yokokawa patent does not appear to teach or suggest a monitor simultaneously displaying the selected sample image and a currently viewed object image whose corresponding object image data is not yet stored on the storage medium, as recited by amended Claim 1.

The Hibino patent is understood to merely disclose the reading of images from a camera film 2 in order to provide a thumbnail image (col. 5, lines 24-26). For example, Fig. 6 of Hibino is understood to show a method for capturing the images on each frame of film 2 for obtaining a thumbnail image. If a frame juxtaposed with an image area 26 is the first frame of film 2, a series of conditions are understood to be set (S1001-S1011). These set conditions are understood to be then used to read the images in subsequent frames of film 2 (col. 6, lines 55-57). However, as described by Hibino, the images recorded on film 2 are understood to be previously taken by a user and the Hibino apparatus is not understood to display any currently viewed object or to store corresponding not-yet-stored object image data in association with a

sample image. Therefore, this patent also does not appear to teach or suggest a monitor simultaneously displaying a selected sample image and a currently viewed object image whose object image data is not yet stored on the storage medium, as recited by our amended Claim 1.

MPEP § 2142 requires the cited art to disclose or suggest *all* the claimed features to establish a prima facie case of obviousness. Here, as noted above, the applied art is not understood to disclose or suggest a monitor simultaneously displaying a selected sample image and a currently viewed object image whose object image data is not yet stored on the storage medium, as recited by our amended Claim 1. Therefore, the Office has not yet established a prima facie case of obviousness against amended Claim 1. For this reason, Applicant respectfully requests that the rejection of amended Claim 1 be withdrawn. And since independent Claims 7, 14, and 19 have been amended in a similar manner, they are understood to be allowable for similar reasons.

The dependent claims are allowable for the reasons given for the independent claims and because they recite features that are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

### *Conclusion*

In view of the above amendments and remarks, the application is in allowable form and entry of this amendment is considered proper. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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